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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/508,869	STAHL ET AL.	
	Examiner	Art Unit	
	JAMES SHELEHEDA	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 March 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 03/20/08 have been fully considered but they are not persuasive.

On pages 9-10, applicant argues that Horiguchi fails to teach wherein at said display device said digital video content passes through a first signal path which decodes said digital video content to generate decoded digital video content and said digital OSD video data passes through a second signal path which does not decode said digital OSD video data, Horiguchi discloses wherein data output from 51A and 52B are both decoded.

In response, it is noted that Horiguchi specifically discloses wherein video data output from IEEE ISO (51B) is decoded and wherein data output from IEEE ASYNC (51A) is ***not*** decoded.

As seen in Fig. 2B, data received from 51B passes through the demultiplexer, 52, and then is decoded by one of the decoders, 53, 54, 55 or 56 (column 4, lines 40-51).

The output of 51A, however, is passed to system controller 57 and then to the display to display the navigation data, such as a menu and title (column 3, lines 50-61, column 4, lines 52-65 and column 7, lines 20-24). While this data passes through a "decoding control section" it is noted that this is ***not*** a decoder and is not used to actually decode data. The decoding control section, 58, is a part of the system controller and controls all of the other decoders of the system, i.e. 53, 54, 55, 56, by

utilizing the navigation data (column 4, line 65-column 5, line 3). Thus, applicant's arguments are not convincing, as the navigation information representing the OSD menu is ***not*** decoded at the display device as applicant suggests. Therefore, Horiguchi meets the current claim limitations.

In response to applicant's arguments that the "navigation data" passed through 51A, does not properly correspond to the claimed "digital OSD video data", It is noted that Horiguchi specifically discloses wherein the navigation data includes "title information" (column 3, lines 59-60) which is generated and output to the OSD (column 7, lines 20-24). The navigation data clearly includes information rendered on the video display and thus meets the limitation of "digital OSD video data representative of an on-screen display menu", as the claims merely require that the "digital OSD video data" be "representative of an on-screen display menu". The displayed "navigation data" of Horiguchi, is clearly "representative" of the on-screen display menu. The claims do not require that the entire menu and all of the data used to display it be transmitted through the second signal path, but merely data "representative" of the on-screen display. Therefore, applicant's arguments are not convincing.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-9, and 11-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ludtke et al. (Ludtke) (6,421,069) (of record) in view of Horiguchi et al. (Horiguchi) (6,370,322) (of record) and Banker et al. (Banker) (5,477,262).

Claim 1, Ludtke '069 discloses a peripheral consumer electronic device (Fig. 1) (Fig. 5) comprising:

Means for communicating with a display device interconnected by a digital bus (IEEE-1394; Col. 5, lines 35-60);

means for providing digital video content (various devices, i.e., Digital camcorder, digital VCR, as disclosed, see Fig. 1);

means for generating, in the peripheral consumer electronic device, digital OSD video data representative of an on-screen display menu that is displayed with the digital video content on the display device (see Fig. 5,7-9; Col. 5, lines 64-Col. 9, lines 36), and associated with the peripheral consumer electronic device (Col. 11, lines 65-Col. 12, lines 10); and

means for transferring (inherently due to IEEE-1394 communication interface of each device) the digital video content and the digital OSD video data (GUI) capable of being displayed as a separate data via the digital bus to the display device whereby the digital video content and the digital OSD video data may be subsequently combined and displayed on the display device (Col. 9, lines 13-Col. 10, lines 36; see Fig. 8).

Ludtke' 069 does not clearly disclose wherein at said display device said digital video content passes through a first signal path which decodes said digital video content to generate decoded digital video content and said digital OSD video data passes through a second signal path which does not decode said digital OSD video data, and wherein outputs of said first and second signal paths are combined so that said on-screen display menu represented by said digital OSD video data is overlaid onto said decoded digital video content.

Horiguchi clearly discloses the use of Isochronous transfer mechanism for transferring video content and asynchronous transfer mechanism for transferring digital video data (Fig, 2A-B, el. 21A and 51A; Col. 5, lines 14-47; Fig. 3; Col. 3, lines 54-Col. 4, lines 28) wherein video content is transmitted through a first path at the display device and decoded for display (Fig. 2B; 51B-52-54; column 4, lines 40-51) and wherein digital OSD video data (column 3, line 49-column 4, line 22) is transmitted through a second path at the display device and not decoded ("navigation" data which does not get decoded; 51A-60-57; column 3, line 49-column 4, line 22 and column 4, line 52-column 5, line 3). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ludtke' 069 to include wherein at said display device said digital video content passes through a first signal path which decodes said digital video content to generate decoded digital video content and said digital OSD video data passes through a second signal path which does not decode said digital OSD video data, as

taught by Horiguchi, so to take the advantage of the nature of the asynchronous mode by guarantying the delivery video data from one device to another device.

Additionally, Banker discloses a display system (Fig. 3) wherein an output OSD menu will be overlaid onto an output full-screen video prior to display (at 306, Fig. 3; column 12, line 62-column 13, line 13 and column 11, lines 18-32). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ludtke' 069 and Horiguchi to include wherein the menu is overlaid onto said video content prior to display, as taught by Banker, so to take benefit of allowing the user to fully enjoy a full-screen video display while still providing the OSD to the user.

Claim 2, Ludtke '069 further discloses wherein the transferring means comprises means for writing via the digital bus the digital OSD video data to a memory device, associated with the display device (Col. 6, lines 7-Col. 7, lines 38).

Claim 3, Ludtke' 069 discloses a means for navigating said OSD menu in response to a user initiated command (selecting and dragging the camera 60 into the 1st subpane 72 as a source device for transmitting data; selecting and dragging the VCR64 into the 2nd subpane 72 as a sink device for transmitting data Col. 9, lines 43-55), said navigating means generates updated digital video data in response to said user initiated command (the 1st subpane 72 is updated with graphical representation 80 and available control functions 81 and 2nd subpane 74 is

updated with graphical representation 84 and available control functions 85 in response to the selecting and dragging function, Fig. 7; Col. 9, lines 55-65+); and write the updated digital video data to the memory device (the updated subpane must be stored in the memory buffer of the controlling device), said user initiated command controls operating modes of said peripheral consumer electronic device (Col. 10, lines 2-36).

Regarding claim 4, Ludtke' 069 further discloses a mapping means for identifying the connectivity of the peripheral consumer electronic device with other devices on the digital bus (Fig. 5, Col. 8, lines 65- Col. 9, lines 35).

Regarding claim 5, Ludtke' 069 further discloses means for receiving characteristic information of each device connected on the digital bus (Col. 9, lines 14-36);

Claim 6, Ludtke '069 further discloses means for processing video data (Col. 11, lines 22-55).

Claim 7 is analyzed with respect to claim 1 in which transferring the digital video data via the serial bus to the display device utilizing an asynchronous transfer mechanism of the serial bus.

Ludtke' 069 does not clearly disclose wherein at said display device said digital video content passes through a first signal path which decodes said digital video content to generate decoded digital video content and said digital OSD video data passes through a second signal path which does not decode said digital OSD video data, and wherein outputs of said first and second signal paths are combined so that said on-screen display menu represented by said digital OSD video data is overlaid onto said decoded digital video content.

Horiguchi clearly discloses the use of Isochronous transfer mechanism for transferring video content and asynchronous transfer mechanism for transferring digital video data (Fig, 2A-B, el. 21A and 51A; Col. 5, lines 14-47; Fig. 3; Col. 3, lines 54-Col. 4, lines 28) wherein video content is transmitted through a first path at the display device and decoded for display (Fig. 2B; 51B-52-54; column 4, lines 40-51) and wherein digital OSD video data (column 3, line 49-column 4, line 22) is transmitted through a second path at the display device and not decoded ("navigation" data which does not get decoded; 51A-60-57; column 3, line 49-column 4, line 22 and column 4, line 52-column 5, line 3). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ludtke' 069 to include wherein at said display device said digital video content passes through a first signal path which decodes said digital video content to generate decoded digital video content and said digital OSD video data passes through a second signal path which does not decode said digital OSD video data, as

taught by Horiguchi, so to take the advantage of the nature of the asynchronous mode by guarantying the delivery video data from one device to another device.

Additionally, Banker discloses a display system (Fig. 3) wherein an output OSD menu will be overlaid onto an output full-screen video prior to display (at 306, Fig. 3; column 12, line 62-column 13, line 13 and column 11, lines 18-32). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ludtke' 069 and Horiguchi to include wherein the menu is overlaid onto said video content prior to display, as taught by Banker, so to take benefit of allowing the user to fully enjoy a full-screen video display while still providing the OSD to the user.

Regarding claim 8, Ludtke' 069 further discloses Receiving control information in response to a user initiated command, the control information controlling operating modes of the peripheral device (Col. 10, lines 2-36); Navigating the menu in the peripheral device in response to the control information (selecting and dragging the camera 60 into the 1st subpane 72 as a source device for transmitting data; selecting and dragging the VCR64 into the 2nd subpane 72 as a sink device for transmitting data Col. 9, lines 43-55), wherein the step of navigating comprises updating the digital data (for each selecting and dragging operation, the 1st and 2nd subpane are updated); and Transferring the updated digital data (the 1st subpane 72 is updated with graphical representation 80 and available control functions 81. 2nd subpane 74 is updated with graphical representation 84 and

available control functions 85 in response to the selecting and dragging function, Fig. 7; Col. 9, lines 55-65+) to the display device.

Regarding claim 9, Ludtke' 069 discloses a method for controlling a peripheral consumer electronic device interconnected via an IEEE 1394 serial bus to a display device 18/19 (Fig. 1; Col. 1, lines 25-51; Col. 5, lines 35-60) comprises:

Mapping the connectivity of each device on the serial bus (Fig. 5, Col. 8, lines 65- Col. 9, lines 35).

Communicating with the display device 18/19 (Col. 4, lines 48-65+ and Col. 5, lines 35-60) utilizing an asynchronous transfer mechanism of the serial bus (inherently met by IEEE-1394 of utilizing an asynchronous transfer mechanism of the serial bus and controlling the equipments connected to IEEE-1394 serial bus is done by function control protocol (FCP) in which the peripheral device transmits a control command and response by asynchronous packet between devices);

Generating, in the peripheral consumer electronic device, digital video data representative of an OSD menu associated with the peripheral consumer electronic device, digital video data representative of an OSD menu that is displayed with the digital video content on the display device, and associated with the peripheral consumer electronic device ("Device Image" in Fig. 3, el. 26 which is part of "self-describing information" represents with icons 60, 64, 68 and 69, as "digital OSD video data" inherently overlays onto the digital video content prior to being displayed on the television. The Examiner cites Col. 9, lines 14-19 to support "… the icons

are the graphical representations *obtained by the computer system 18 from the ROM 20* within each device…". Ludtke' 069 further discloses in one embodiment in which when a (peripheral) device is coupled in a network configuration, which includes only a television 19 without a processor see Col. 7, lines 48-60. In this embodiment, Ludtke' 069 clearly discloses the "Device Image"/self-describing information is in a format (i.e., video) understood by the TV 19 (without a processor) so to be able to display on the TV 19, see Col. 5, lines 3-7, with the less elaborate GUI, i.e., Fig. 5, and through this GUI, the user is then able to control the operation of the device see Col. 5, lines 25-35);

Ludtke' 069 does not clearly disclose wherein at said display device said digital video content passes through a first signal path which decodes said digital video content to generate decoded digital video content and said digital OSD video data passes through a second signal path which does not decode said digital OSD video data, and wherein outputs of said first and second signal paths are combined so that said on-screen display menu represented by said digital OSD video data is overlaid onto said decoded digital video content.

Horiguchi clearly discloses the use of Isochronous transfer mechanism for transferring video content and asynchronous transfer mechanism for transferring digital video data (Fig, 2A-B, el. 21A and 51A; Col. 5, lines 14-47; Fig. 3; Col. 3, lines 54-Col. 4, lines 28) wherein video content is transmitted through a first path at the display device and decoded for display (Fig. 2B; 51B-52-54; column 4, lines 40-51) and wherein digital OSD video data (column 3, line 49-column 4, line 22) is

transmitted through a second path at the display device and not decoded ("navigation" data which does not get decoded; 51A-60-57; column 3, line 49-column 4, line 22 and column 4, line 52-column 5, line 3). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ludtke' 069 to include wherein at said display device said digital video content passes through a first signal path which decodes said digital video content to generate decoded digital video content and said digital OSD video data passes through a second signal path which does not decode said digital OSD video data, as taught by Horiguchi, so to take the advantage of the nature of the asynchronous mode by guarantying the delivery video data from one device to another device.

Additionally, Banker discloses a display system (Fig. 3) wherein an output OSD menu will be overlaid onto an output full-screen video prior to display (at 306, Fig. 3; column 12, line 62-column 13, line 13 and column 11, lines 18-32). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ludtke' 069 and Horiguchi to include wherein the menu is overlaid onto said video content prior to display, as taught by Banker, so to take benefit of allowing the user to fully enjoy a full-screen video display while still providing the OSD to the user.

Claim 11, Ludtke '069 further discloses wherein the step of transferring the digital video data via the serial bus utilizes an isochronous transfer mechanism of the serial bus (inherent; Col. 9, lines 53-Col. 10, lines 36).

Regarding claim 12, Ludtke' 069 discloses a display device (Fig. 1, el. 18 or 19) comprising:

Means (I/O busses 12, 16 and 17; Fig. 1) for communicating with a peripheral device (to other devices) interconnected by a digital bus (1394 network);

Means (Computer 18 or TV 19) for receiving digital video content;

Means (TV 19 without processor) for receiving, from the peripheral device, digital video data (less elaborate video graphical user interface stored in memory 20, el. 26) representative of an on-screen display menu associated with peripheral device (Col. 7, lines 54-60), the digital data being capable of being displayed (see Fig. 5); and

Means (TV 19) for displaying the digital video data with the digital video content (superimposed over the screen; see Fig. 5-9).

Ludtke' 069 does not clearly disclose wherein at said display device said digital video content passes through a first signal path which decodes said digital video content to generate decoded digital video content and said digital OSD video data passes through a second signal path which does not decode said digital OSD video data, and wherein outputs of said first and second signal paths are combined so that said on-screen display menu represented by said digital OSD video data is overlaid onto said decoded digital video content.

Horiguchi clearly discloses the use of Isochronous transfer mechanism for transferring video content and asynchronous transfer mechanism for transferring

digital video data (Fig, 2A-B, el. 21A and 51A; Col. 5, lines 14-47; Fig. 3; Col. 3, lines 54-Col. 4, lines 28) wherein video content is transmitted through a first path at the display device and decoded for display (Fig. 2B; 51B-52-54; column 4, lines 40-51) and wherein digital OSD video data (column 3, line 49-column 4, line 22) is transmitted through a second path at the display device and not decoded ("navigation" data which does not get decoded; 51A-60-57; column 3, line 49-column 4, line 22 and column 4, line 52-column 5, line 3). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ludtke' 069 to include wherein at said display device said digital video content passes through a first signal path which decodes said digital video content to generate decoded digital video content and said digital OSD video data passes through a second signal path which does not decode said digital OSD video data, as taught by Horiguchi, so to take the advantage of the nature of the asynchronous mode by guarantying the delivery video data from one device to another device.

Additionally, Banker discloses a display system (Fig. 3) wherein an output OSD menu will be overlaid onto an output full-screen video prior to display (at 306, Fig. 3; column 12, line 62-column 13, line 13 and column 11, lines 18-32). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ludtke' 069 and Horiguchi to include wherein the menu is overlaid onto said video content prior to display, as taught by Banker, so to take benefit of allowing the user to fully enjoy a full-screen video display while still providing the OSD to the user.

Regarding claim 13, Ludtke' 069 (Fig. 1) discloses a method for controlling a peripheral consumer electronic device (VCR 14; Camera 10; Fig.1; Col. 4, lines 45-47) interconnected via an IEEE 1394 serial bus 12, 17, 16 to a display device 18 or 19 (Col. 4, lines 48-65+ and Col. 5, lines 35-60) comprising:

transferring (24) the digital video content (Camera 10 or VCR 14 provides stream of video data under play mode) and the digital video data (self-describing information) via the digital IEEE-1394 bus 12, 17, 16 to the display device 18 or 19 whereby the digital video content and the digital video data may be combined and displayed on the display device (Col. 5, lines 39-60 and Col. 10, lines 3-36).

Generating, in the peripheral consumer electronic device, digital video data representative of an OSD menu associated with the peripheral device, the digital video data ("Device Image" in Fig. 3, el. 26 which is part of "self-describing information" represents with icons 60, 64, 68 and 69, as "digital OSD video data" displays on the television. The "Device Image" is generated, stored in ROM 20 within the peripheral device (i.e., camera 10) and transferred to the computer system 18 for displaying on the TV 19 (Fig. 5) in the form of video data. The Examiner cites Col. 9, lines 14-19 to support "… the icons are the graphical representations *obtained by the computer system 18 from the ROM 20* within each device…". Ludtke' 069 further discloses in one embodiment in which when a (peripheral) device is coupled in a network configuration, which includes only a television 19 without a processor see Col. 7, lines 48-60. In this embodiment, Ludtke' 069

Ludtke' 069 clearly discloses the "Device Image"/self-describing information is in a format (i.e., video) understood by the TV 19 (without a processor) so to be able to display on the TV 19, see Col. 5, lines 3-7, with the less elaborate GUI, i.e., Fig. 5, and through this GUI, the user is then able to control the operation of the device see Col. 5, lines 25-35) being capable of being displayed;

Ludtke' 069 does not clearly disclose wherein at said display device said digital video content passes through a first signal path which decodes said digital video content to generate decoded digital video content and said digital OSD video data passes through a second signal path which does not decode said digital OSD video data, and wherein outputs of said first and second signal paths are combined so that said on-screen display menu represented by said digital OSD video data is overlaid onto said decoded digital video content.

Horiguchi clearly discloses the use of Isochronous transfer mechanism for transferring video content and asynchronous transfer mechanism for transferring digital video data (Fig, 2A-B, el. 21A and 51A; Col. 5, lines 14-47; Fig. 3; Col. 3, lines 54-Col. 4, lines 28) wherein video content is transmitted through a first path at the display device and decoded for display (Fig. 2B; 51B-52-54; column 4, lines 40-51) and wherein digital OSD video data (column 3, line 49-column 4, line 22) is transmitted through a second path at the display device and not decoded ("navigation" data which does not get decoded; 51A-60-57; column 3, line 49-column 4, line 22 and column 4, line 52-column 5, line 3). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to

modify Ludtke' 069 to include wherein at said display device said digital video content passes through a first signal path which decodes said digital video content to generate decoded digital video content and said digital OSD video data passes through a second signal path which does not decode said digital OSD video data, as taught by Horiguchi, so to take the advantage of the nature of the asynchronous mode by guarantying the delivery video data from one device to another device.

Additionally, Banker discloses a display system (Fig. 3) wherein an output OSD menu will be overlaid onto an output full-screen video prior to display (at 306, Fig. 3; column 12, line 62-column 13, line 13 and column 11, lines 18-32). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ludtke' 069 and Horiguchi to include wherein the menu is overlaid onto said video content prior to display, as taught by Banker, so to take benefit of allowing the user to fully enjoy a full-screen video display while still providing the OSD to the user.

Regarding claim 14, Regarding claim 12, Ludtke' 069 discloses a display device (Fig. 1, el. 18 or 19) comprising:

Means (I/O busses 12, 16 and 17; Fig. 1) for communicating with a peripheral device (to other devices) interconnected by a digital bus (1394 network);

Means (Computer 18 or TV 19) for receiving digital video content via the IEEE 1394 bus;

Means (TV 19 without processor) for receiving, from the peripheral device, digital video data (less elaborate video graphical user interface stored in memory 20, el. 26) representative of an on-screen display menu associated with peripheral device (Col. 7, lines 54-60) via the IEEE-1394 bus, the digital data being capable of being displayed (see Fig. 5); and

Means (TV 19) for combining and displaying the combined digital video data and the digital video content to generate a combined video image (TV 19 must combine the digital video data and the digital video content in order to generate a combined video image and to display it, as disclosed; see Fig. 5-9).

Means (TV 19) for displaying the combine video image (Fig. 5-9).

Ludtke' 069 does not clearly disclose wherein at said display device said digital video content passes through a first signal path which decodes said digital video content to generate decoded digital video content and said digital OSD video data passes through a second signal path which does not decode said digital OSD video data, and wherein outputs of said first and second signal paths are combined so that said on-screen display menu represented by said digital OSD video data is overlaid onto said decoded digital video content.

Horiguchi clearly discloses the use of Isochronous transfer mechanism for transferring video content and asynchronous transfer mechanism for transferring digital video data (Fig, 2A-B, el. 21A and 51A; Col. 5, lines 14-47; Fig. 3; Col. 3, lines 54-Col. 4, lines 28) wherein video content is transmitted through a first path at the display device and decoded for display (Fig. 2B; 51B-52-54; column 4, lines 40-51)

and wherein digital OSD video data (column 3, line 49-column 4, line 22) is transmitted through a second path at the display device and not decoded ("navigation" data which does not get decoded; 51A-60-57; column 3, line 49-column 4, line 22 and column 4, line 52-column 5, line 3). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ludtke' 069 to include wherein at said display device said digital video content passes through a first signal path which decodes said digital video content to generate decoded digital video content and said digital OSD video data passes through a second signal path which does not decode said digital OSD video data, as taught by Horiguchi, so to take the advantage of the nature of the asynchronous mode by guarantying the delivery video data from one device to another device.

Additionally, Banker discloses a display system (Fig. 3) wherein an output OSD menu will be overlaid onto an output full-screen video prior to display (at 306, Fig. 3; column 12, line 62-column 13, line 13 and column 11, lines 18-32). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ludtke' 069 and Horiguchi to include wherein the menu is overlaid onto said video content prior to display, as taught by Banker, so to take benefit of allowing the user to fully enjoy a full-screen video display while still providing the OSD to the user.

Claim 15, Ludtke' 937 further discloses wherein the step of transferring the digital video data (OSD) via the serial bus utilizes an isochronous transfer mechanism of the serial bus (Col. 11, lines 13-22).

Claim 16, Horiguchi further discloses wherein the digital video data representative of the OSD menu is received from the peripheral device using an asynchronous transfer mechanism of the IEEE-1394 serial bus (Fig, 2A-B, el. 21A and 51A; Col. 5, lines 14-47; Fig. 3; Col. 3, lines 54-Col. 4, lines 28).

Regarding claim 17, As to "wherein the means for receiving digital video data includes means for receiving a message indicative of the availability of the digital video data representative of the OSD menu via the asynchronous transfer mechanism of the IEEE-1394 serial bus" is further obvious and met by Horiguchi in which Horiguchi further discloses wherein the digital video data representative of the OSD menu is received from the peripheral device using an asynchronous transfer mechanism of the IEEE-1394 serial bus (Fig, 2A-B, el. 21A and 51A; Col. 5, lines 14-47; Fig. 3; Col. 3, lines 54-Col. 4, lines 28).

4. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ludtke '069 in view of Horiguchi and Banker and P1394 Draft 8.0v2 (of record).

Regarding claim 10, Ludtke' 069 further discloses

Receiving control information in response to a user initiated command, the control information controlling operating modes of the peripheral consumer electronic device (Col. 10, lines 2-36);

Navigating the menu in the peripheral device in response to the control information (selecting and dragging the camera 60 into the 1st subpane 72 as a source device for transmitting data; selecting and dragging the VCR64 into the 2nd subpane 72 as a sink device for transmitting data Col. 9, lines 43-55), wherein the step of navigating comprises updating the digital data (for each selecting and dragging operation, the 1st and 2nd subpane are updated); and

Transferring the updated digital data (the 1st subpane 72 is updated with graphical representation 80 and available control functions 81. 2nd subpane 74 is updated with graphical representation 84 and available control functions 85 in response to the selecting and dragging function, Fig. 7; Col. 9, lines 55-65+) to the display device.

As to limitation "providing to said display device a second message comprising the location and size of the updated digital data" is further obvious over P1394 Draft 8.0v2 by its function control protocol (FCP) in which the peripheral device transmits a control command and response by asynchronous packet for each Asynchronous operation (read/write request or "message"); see P1394 Draft 8.0v2 pages 151-179. The structure of the FCP frame packet is updated (2nd message for each control command and response between devices) accordingly with its location (Source ID) and updated size of the digital data (Data Length) for each operation, as

shown by P1394 Draft 8.0v2 pages 175-177. Therefore, it would have been obvious to one of ordinary skill in the art to claim the use of asynchronous protocol for communication between devices so to take the advantage of the IEEE-1394 communication protocol standard defined by IEEE-1394 such as saving cost and furthermore carrying simultaneously Video and data over the same serial bus at high speed transmission.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will result in such communication being considered as timely if the established date is within the required period for reply. The Certificate should be signed by the individual actually depositing or transmitting the correspondence or by an individual who, upon information

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Please refer to 37 CFR 1.6(d) and 1.8(a)(2) for filing limitations concerning facsimile transmissions and mailing, respectively.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMES SHELEHEDA whose telephone number is

(571)272-7357. The examiner can normally be reached on Monday - Friday, 9:00AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (571) 272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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